IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGEMENT NO.1163 OF 2003

IN

SUM. SUIT NO. 1322 OF 2003

Hariram T. Mulchandani .. Plaintiff

vs.

Venkatesh Gatewar

& Anr. .. Defendants.

Ms. L.B. Makhijani i/by Uttam G. Tahiliani

for the plaintiffs.

CORAM : S.U.KAMDAR, J.

DATE : 8th September, 2005.

P.C.

. The present suit is filed for recovery of a sum of Rs. 1,53,250/- The claim arises out of a bill of exchange executed by the defendant for a sum of Rs. 1 lac and the rate of interest claimed is at the rate of 18% per annum. The writ of summons was served on the defendants. The vakalatnama was filed. Accordingly, summons for judgment was taken out and is served upon the defendants. However, there is no affidavit in reply. The plaintiff has filed affidavit of service dated 7.9.2005. The matter was thereafter on board when I directed notice to be given to the advocate for the defendants. Notice is given on 1.9.2005. In spite

of notice none appears. In view thereof, summons for judgment is made absolute. Suit decreed accordingly. No order as to costs.